



Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

NOVEMBER 11, 2019

9:30

Calendar No. 19-253: 15401 Ridpath Ave.

Ward 8

Michael D. Polensek

28 Notices

Antineic Harriston, owner, proposes to establish use as a Residential Facility for 5 residents in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.571 which states that a "Residential facility" means a publicly or privately operated home or facility, licensed pursuant to state law, that provides accommodations, supervision, and personal care services to any of the following: (a) one(1) or two(2) unrelated persons with mental illness; (b) one(1) or two(2) unrelated adults who are receiving residential state supplement payments as defined in the Ohio Revised Code; or (c) three (3) to sixteen(16) unrelated adults.
2. Section 337.02(h) and 337.03 which state that a Residential Facility, as defined in Chapter 325 of this Zoning Code, for one (1) to five (5) unrelated persons is not permitted if it is located not less than one thousand (1,000) feet from another residential facility. Proposed use is within 1,000 feet of two existing Residential Facility uses (Healing Hands Adult Family Home at 15410 Parkgrove Ave., and the Westchester House Adult Family Home at 15320 Parkgrove Ave.) (Filed September 17, 2019)

9:30

Calendar No. 19-257: 3000 Euclid Ave.

Ward 7

Basheer S. Jones

30 Notices

Majestic Hall LLC., owner, proposes to establish use as a Mental Health Center in an E5 General Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.471 which states that an institution providing in-patient or out-patient care or therapy for individuals affected by mental illness, developmental disabilities, alcoholism or substance abuse and others needing psychological therapy but which does not serve as a residence for such individuals.
2. Section 340.01 which states that the Institutional-Research (I-R) District is established to provide appropriate locations and design standards for large-scale developments of educational and medical institutions, other institutions, research facilities and professional

offices, as well as residential and retail uses supportive of the principal institutional and research-related uses. An ordinance of Council is required to zone properties as I-R.

3. Section 340.02(b) which states Mental Health Center is first permitted in an Institutional-Research District (facility providing in-patient and out-patient services as defined in Section 325.471, above, as a sole and primary use is not listed as a permitted use in a General Retail Business District per Sections 343.11(b), 343.01(b), or 337.08 (Filed October 4, 2019).

9:30

Calendar No. 19-262: 18301 Ferncliffe Ave.

Ward 17

Martin J. Keane

Cleveland Muslim Community Center, owner, proposes to convert existing one family home to a funeral chapel in an A1 One-Family Residential District. The owner appeals for relief from Section 337.02 of the Cleveland Codified Ordinances which states that funeral chapel is not permitted in a One-Family Residential District but first permitted in a Local Retail Business District per Section 343.01(g)(3). (Filed October 9, 2019)

9:30

**Calendar No. 19-265: 1453 E. 66 Street
 (AKA 1449 E. 66 Street)**

Ward 7

Basheer S. Jones

16 Notices

Omar, Ibrahim Abdo & Mohammed Thaker., owners, propose to establish use as a convenient store in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 337.03 which states that a convenient store is not permitted in the Two-Family Residential District but is first permitted in a Local Retail Business District.
2. Section 359.02 which states that when the use is voluntarily discontinued for six (6) months or more. The intent to voluntarily discontinue a use may be implied from acts or the failure to act, including, but not limited to, the removal of and failure to replace the characteristic equipment and furnishings; or the cessation of business operations for two (2) years or more unless the cessation of business operations was caused by factors out of the control of the business such as the disability or illness of the proprietor or governmental action unrelated to the behavior of the business. If the business operations have ceased for more than two (2) years, the presence of characteristic equipment and furnishings is not relevant. The use was discontinued for two years or more (Filed October 10, 2019)

10:30 AM CASES

10:30

**Calendar No. 19-239
through 19-241:**

**Appealing Landmarks Commission
Decision regarding 2189-2193
Cornell/ Washington Place Inn**

**Ward 6
Blaine A. Griffin**

Frank Geraci, Murray Hill of Florence Properties , Steve E. and Quinta M. Tonschock appeal under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the City of Cleveland Landmarks Commission rendered on August 22, 2019 to approve a Certificate of Appropriateness sought by Washington Inn Housing for the demolition of two houses 2189 Cornell Rd. and 2193 Cornell Rd. and new construction of an apartment building. (Filed September 23, 2019)

POSTPONED FROM OCTOBER 21, 2019

10:30

Calendar No. 19-231:

**Appealing City Planning
Commission Decision regarding
4705 Bridge Ave.**

**Ward 3
Kerry McCormack**

Erin Driscoll Lizak appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the City of Cleveland Planning Commission rendered on August 16, 2019 to approve a townhouse development in a Two-Family Residential District. (Filed September 16, 2019-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF B.R. KNEZ DUE TO A SCHEDULING CONFLICT.*

10:30

Calendar No. 19-232:

**Appealing City Planning
Commission Decision regarding
4705 Bridge Ave.**

**Ward 3
Kerry McCormack**

Haydee Pagan appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the City of Cleveland Planning Commission rendered on August 16, 2019 to approve a townhouse development in a Two-Family Residential District. (Filed September 16, 2019-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF B.R. KNEZ DUE TO A SCHEDULING CONFLICT.*

10:30

Calendar No. 19-233:

**Appealing City Planning
Commission Decision regarding
4705 Bridge Ave.**

**Ward 3
Kerry McCormack**

Steven Zamborsksy appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the City of Cleveland Planning Commission rendered on August 16, 2019 to approve a townhouse development in a Two-Family Residential District. (Filed September 16, 2019-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF B.R. KNEZ DUE TO A SCHEDULING CONFLICT.*